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Comp. Pol. File No. 667

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Comments:

Archstone-Smith (NYSE: ASN) is one of the nation's leading owners, operators, developers and acquirers of apartments, in major metropolitan areas across the country.. With a current total market capitalization of approximately \$9.9 billion, Archstone-Smith owns or has an ownership position in 253 apartment communities, representing 88,653 apartment units, including units under construction.

Archstone-Smith utilizes both Qwest and Touch America for its national frame-relay network. All of our properties and offices are connected to the home office through this network. Apartment operations are completely dependent upon the network being available in order to perform its daily functions (leasing, processing payments, service requests, etc.). All of our properties in the 14 state region handled by Touch America are at risk of service disruption due to the impending service discontinuation by Touch America. Even more significant, since our headquarters is in Touch America service area the effects of a service disruption could be nationwide.

We have been working aggressively with Qwest to transition the services currently provided by Touch America to Qwest. We placed orders as soon as we heard and understood our options. I estimate that we will complete this transition to Qwest by the end of February (although there is some dependency of Touch America's assistance). We request an extension of 60 days in order to allow sufficient time to complete the network transition.

Finally, the Public Notice published by the FCC, states that Touch America notified its customers, on December 2<sup>nd</sup>, 2003 of its planned discontinuance. Archstone-Smith did not receive any notification from Touch America, whether in writing or otherwise. To this date, we have still not received any notification from Touch America.

Please consider the facts above as cause to delay the Touch America planned service discontinuance.

Respectfully,  
Dan Amedro